



Advisory Neighborhood Commission 3F

North Cleveland Park & Forest Hills

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Annual Report for Fiscal Year 2002 (October 1, 2001 - September 30, 2002)

As authorized by DC Law 13-135, Advisory Neighborhood Commission 3F submits this annual report for FY 2002 to the Council of the District of Columbia and the Mayor. In accordance with the law, the report summarizes the important problems perceived by the Commission, Commission activities, the ANC's financial status, recommendations for action by the District government, and recommendations for improving operations of ANCs.

Abbreviations used in this Report:

ANC=	Advisory Neighborhood Commission	FHCA=	Forest Hills Citizens Association
BCAC=	DC Building Code Advisory Committee	HPRB =	Historic Preservation Review Board
BZA=	DC Board of Zoning Adjustment	MPD=	Metropolitan Police Department
CFA=	Commission of Fine Arts	NCPC=	National Capital Planning Commission
DC=	District of Columbia	NPS=	National Park Service
DCPS=	DC Public Schools	OP =	Office of Planning
DCRA=	DC Department of Consumer & Regulatory Affairs	PSC=	DC Public Service Commission
DDOT=	District Division of Transportation in DPW	UDC=	University of the District of Columbia
DPW=	DC Department of Public Works	WASA=	DC Water & Sewer Authority

Important Problems

- *Protecting people who live and work in and visit our City against terrorism and its aftermaths.*
- *Maintaining adequate fire and emergency medical services in our area.*
- *Increasing the effectiveness of DC government's service and regulatory agencies, particularly DCRA.*
- *Strengthening (a) enforcement of moving vehicle and parking laws, (b) automobile, pedestrian and bicycle traffic planning, and (c) METRO operations and use.*
- *Strengthening support for environmental protection, enhancement and enforcement.*
- *Strengthening enforcement of laws regarding construction noise and other nuisances.*
- *Strengthening enforcement of laws regarding erosion control.*
- *Amending Zoning Regulations to check "lot occupancy creep" and reduce storm water runoff.*
- *Preserving and replacing street trees and trees on DCPS and City park lands.*
- *Protecting tree canopy, including provisions for trees on private lands.*
- *Improving DC Public Schools (DCPS) facilities and performance.*
- *Revitalizing Van Ness/UDC business district and strengthening planning for the Wisconsin corridor.*
- *Maintaining and rehabilitating the University of the District of Columbia (UDC).*
- *Lack of any representation in U.S. Senate and only non-voting Delegate in House of Representatives.*
- *Failures of Board of Elections and Ethics (BOEE) regarding efficiency, fairness, and integrity of process to elect ANC commissioners, including: (a) failure to provide any constituent lists until just*

before Election Day itself, and (b) denying some voters ballots for ANC commissioners running in their Single Member District while providing them with the wrong ballot and (so it appears) counting their votes in electing ANC commissioners in Single Member Districts in which those voters do not reside.

Recommendations for Actions to Be Taken by District Government

- *Infusing environmental considerations and neighborhood quality of life into D.C. Government decisions, including effective implementation of the law as to Environmental Impact Statements.*
- *Coordinating traffic planning and enforcement by DPW and the MPD (as well as non-DC agencies).*
- *Staffing all inspection and enforcement agencies (not just the MPD) at night and on weekends.*
- *Taking steps to prevent recurrence of BOEE failures while determining to what extent these errors may corrupt election of ANC Commissioners.*
- *Giving ANC commissioners access to Executive Branch documents (including ALJ case documents) without requiring Freedom of Information Act (FOIA) requests.*
- *Letting ANCs (in common with the Office of Planning) copy BZA and Zoning Commission (ZC) documents from the public files at the Office of Zoning without being charged 20 cents a page.*

Recommendations for Improving ANC Operations

- *[None at this time.]*

Financial Report

ANC 3F's bank balance was \$22,410.93 on October 1, 2001, and \$33,359.00 on September 30, 2002. Deposits during FY 2002 totaled \$13,546.22 consisting of DC Government payments received, including an extra amount to enhance communication with constituents. ANC 3F submitted quarterly reports to the DC Auditor within approved deadlines. The Auditor approved release of all four quarterly allotments for FY 2002. The ANC has still not received \$2,721.34 of the approved amounts at year end.

Disbursements during FY 2001 totaled \$2,596.15 which was within our budgeted amount, including significant printing and mailing costs for the Ad Hoc Committee on Tree & Slope Protection Overlay to provide information on the Overlay proposal to constituents. Major ANC cost centers were acquisition of digital camera, postage, printing and copying, telephone, public meeting space, office supplies and office space.

Commission's Web Site, Community Input and Communications

The Commission's web site (www.anc3f.org) gives notice of and tentative agenda for future meetings and provides summaries of past Commission actions (including approved minutes of meetings and texts of resolutions and other documents) as well as links to other DC web sites. A map of the ANC and the Commission's consolidated by-laws are posted on the Commission's web site.

An Open Forum early in each business meeting lets community members raise new matters not placed on the formal agenda. Moreover, during discussion of each agenda item the Commission invited community input, including questions to speakers and comments on proposed Commission actions.

Issues raised by community members included concerns about

- *health inspections at major grocery stores*
- *traffic problems near the Sheridan School*
- *American University's proposal to develop its Tenley Circle campus (near St. Ann's Church)*

- cars running red lights at Connecticut Avenue and Windom Place
- insufficiency of parking meters
- parking by a restaurant's patrons on residential streets
- lack of sidewalks in 3400 block of Yuma Street; need to reconstruct 3500 block of Yuma Street
- planting of City-owned trees not desired by adjacent home owner
- subdivision of 2900 Albemarle Street, N.W.
- carwash at 4432 Connecticut Avenue, N.W.
- blocked storm water catch basins
- hazards to pedestrians and drivers associated with UDC garage exit to Van Ness Street
- dispersal of equipment that had been at the Tenleytown Fire House
- expansions of institutions in Ward 3
- restaurant quotas in Cleveland Park
- plans for re-subdivision of three lots at 2800 Chesterfield Place
- Hearst Recreation Advisory Council letter of September 13 to Director Neal O. Albert
- DDOT program to invite community input in prioritizing projects

Dates and Locations of Commission Meetings

The Commission held 10 duly noticed, public business meetings, with a quorum present at the dates, times and places shown in Appendix A, mostly on the third Monday evening of the month and at the Capital Memorial Seventh-Day Adventist Church (3150 Chesapeake Street); but one was at the Van Ness South Social Room (3003 Van Ness Street), one at the Washington Home and Hospice Center (3720 Upton Street), one at the Intelsat Building (4100 Connecticut Avenue), and one at the Wisconsin Avenue Baptist Church (3920 Alton Place).

The ANC also co-sponsored the second Ward 3 Traffic Summit (on January 28, 2002, at Chevy Chase Community Center), a town hall meeting on the proposed Forest Hills Tree & Slope Protection Overlay (on May 13, 2002, at Capital Memorial Church), and held a community meeting to get public input on the Connecticut Avenue traffic study (on September 26, 2002, at Van Ness South Social Room).

The Commission gave notice of and conducted (during its monthly meeting on February 19, 2002) a special election to fill a vacancy in Single Member District 3F07.

Summary of Commission Activities

Giving advice to government agencies and managing ANC affairs, the Commission adopted 39 resolutions, one report (to the Ward 3 Traffic Summit), one document (concerning special election procedures to fill a vacancy), and three letters. All are posted on the ANC web site (by calendar year and month).

At regular monthly business meetings, the Commission together with members of the community in attendance heard the following invited speakers:

<i>Peter LaPorte</i>	<i>Director, DC Emergency Management Office</i>
<i>Juliana Tengen</i>	<i>ABRA representative</i>
<i>Gottlieb Simon</i>	<i>Executive Director, Office of ANCs</i>
<i>Robert Bozarth</i>	<i>Fannie Mae Corporation</i>
<i>Karen Stienon</i>	<i>Fannie Mae Corporation</i>
<i>Gloria Shelby</i>	<i>DCRA Lead Inspector for Ward 3</i>

<i>Peter Newsham</i>	<i>Commander, Second District, MPD</i>
<i>Alfred King</i>	<i>Fannie Mae Corporation</i>
<i>Martha Jackson Jarvis</i>	<i>sculptress</i>
<i>Bill O'Field</i>	<i>D.C. BOEE (demonstrating new voting equipment)</i>
<i>Christine Wilson</i>	<i>Pepco</i>
<i>Robert Lambert</i>	<i>Intelsat</i>
<i>Bill Rice</i>	<i>DDOT spokesman</i>
<i>Simon Rennie</i>	<i>DDOT</i>
<i>Preston Kelly</i>	<i>VMS, Inc.</i>
<i>Dan Tangherlini</i>	<i>Director, DDOT</i>

The Commission also heard applicants for government actions being discussed and their representatives.

The Commission reviewed and did not oppose a few new or renewed alcoholic beverage control licenses and entered into voluntary agreements with applicants.

The Commission reviewed a few applications for permits to use public space. In some instances, the Commission did not oppose granting the permit. In others, the Commission did object to the design proposed and gave comments. In one case, that of the Delhi Dhaba Restaurant's application for a public space permit for a sidewalk café, the restaurant revised its plans and the ANC withdrew its objection, whereupon the Public Space Committee approved the permit.

The Commission recommended measures concerning vehicle traffic calming and signage, sidewalks for 3400 block of Yuma Street, and parking violations. In most matters addressed to DDOT, that agency (now a Department) implemented the recommendations, or took preliminary steps in that direction, or offered reasons for a different approach.

The Commission met with DDOT staff and a program representative of its contractor VMS, Inc., to improve communications as to Connecticut and Wisconsin Avenue sidewalks and tree boxes maintained by VMS under a "soup-to-nuts" contract with DDOT for major "federal highway" arteries.

DDOT began a traffic study (sought by ANC 3F) of Connecticut Avenue between Sedgwick and Albe-marle Streets, including side streets between Reno Road to the west and Linnean Avenue to the east.

The MPD and DPW's parking inspectors conducted one-shot enforcement efforts.

Before the Commission of Fine Arts (CFA), the Commission recommended that concept approval of a proposed house at 2807 Chesterfield Place, N.W., be conditional upon additional parking, saving the trees, and shrinking the house. The CFA required additional parking only.

Before the HPRB, the Commission supported designation of the 4400, 4500 and 4600 blocks of Grant Road, N.W. as a historic district, and the HPRB acted favorably to designate.

The Commission did not object to adding four floors of housing atop the landmarked "Sears-Hechinger" property at 4500 Wisconsin Avenue (at the Tenleytown Metrorail station), and the HPRB approved.

The Commission urged prompt HPRB approval of agreed design for exterior of Tenley Fire House; and the HPRB ultimately approved a final compromise. Construction is now in progress.

The Commission opposed applications to the HPRB for parking spaces on the south lawn of 3901 Connecticut Avenue, a designated landmark, and for an encroaching canopy (over the driveway leading to 3883 Connecticut). The HPRB disapproved both proposals.

The Commission opposed the Levine School of Music's application to the HPRB for concept approval of a "roof alteration" which would repeal the School's commitment to remove "temporary" air handlers from the roof of so as to restore its landmarked building. The School withdrew its application.

The Commission recommended to DCRA effective enforcement and implementation of BZA conditions, zoning regulations, and nuisance prevention and abatement laws with very limited effect.

The Commission advised the BZA of no objection to an accessory apartment on Ellicott Street, which the BZA then approved.

Before the BZA, the Commission supported the ALJ's decision on appeal that Kuri Brothers, Inc., was in fact operating a repair garage (at 4221 and 4225 Connecticut Avenue) without a valid certificate of occupancy (Civil Infraction Appeal Case No. 99-OAD-1821E), but the BZA reversed the ALJ because DCRA had issued a certificate for an "automobile service center" (a use occupancy missing from the zoning regulations); the BZA suggested that DCRA could revoke its certificate of occupancy (which DCRA subsequently did, leading to an appeal now pending).

In BZA Appeal No. 16742 regarding 2944 Chesapeake Street the Commission further supported appellant; and the BZA held that DCRA had issued a building permit for a house exceeding the height limitation prescribed by the zoning regulations.

The Commission opposed The Washington Home's application to the BZA for a Special Exception which linked a proposal to add four hospice beds to a request to expand the parking lot from 75 to 173 spaces. The Commission based its opposition primarily on the proposed parking lot. The BZA has concluded hearings and the matter is pending decision. (After the fiscal year ended the Commission voted to limit its opposition to parking lot expansion.)

The Commission did not object to a special exception for a side yard at a grand-fathered lot on Albemarle Street, which the BZA then granted.

The Commission advised the ZC to set down for hearing a Forest Hills Tree & Slope Protection Overlay sought by the FHCA (4-2-1), rejected a motion to request that the ZC return that Overlay to the neighborhood for further debate and consideration (5-2-0), and recommended several amendments to that Overlay (4-2-1). (After the end of the year, on October 28, 2002, the ZC approved the Overlay with some ANC amendments – among others – and announced that it would publish the revised Overlay and schedule a further 60-day comment period.) The Commission's Ad hoc Committee on Tree and Slope Overlays worked on these matters under co-chairs Cathy Wiss and George Clark and, then, under co-chairs George Clark and David J. Bardin.

On the ANC's behalf, designated Commissioners testified at legislative and oversight hearings of the District of Columbia Council and hearings of the Zoning Commission (ZC), Board of Zoning Adjustment (BZA), Commission of Fine Arts (CFA), Public Space Committee, and Historic Preservation Review Board (HPRB), questioned witnesses before the BZA, secured pertinent legal opinions from the Office of the Corporation Counsel, negotiated with DC Government Departments and private companies, participated in multi-ANC bodies and met with officials of the U.S. Post Office.

Commissioners Perry and Wiss served on behalf of the ANC on the Ward 3 Traffic Policy Committee.

Commissioner Perry served as the Ward 3 representative on the DCRA Advisory Council.

Commissioner Wiss represented the ANC on the Wilson High School Facilities Committee. She also helped organize clean-ups of Soapstone Creek on the Wilson High School property and facilitated drawing up the tree protection and preservation plan for 3901 Albemarle Street, pursuant to the ZC Order.

Commissioner Wiss represented the ANC on the Steering Committee for the Upper Wisconsin Avenue Commercial Corridor Study.

Commissioners Bardin and Wiss served on behalf of the ANC on the D.C. Building Code Advisory Committee (BCAC).

ANC Office and Staff

The Commission's office and mailing address are 4200 Connecticut Avenue, NW, Room CC08 (UDC Building 39) and P.O. Box 39290, Washington, DC 20016-9290. The ANC did not employ staff.

ANC Members, Officers and Web Master

Commissioners and officers during calendar years 2001 and 2002 were as follows:

<i>SMD</i>		<i>2002</i>	<i>2001</i>
<i>3F01</i>	<i>Phil Kogan</i>	<i>Vice Chair</i>	<i>Vice Chair</i>
<i>3F02</i>	<i>Karen Lee Perry</i>		
<i>3F03</i>	<i>Robert V. Maudlin</i>		<i>Secretary</i>
<i>3F04</i>	<i>David J. Bardin</i>	<i>Secretary</i>	<i>Chair</i>
<i>3F05</i>	<i>Doug Mitchell</i>	<i>Treasurer</i>	<i>Treasurer</i>
<i>3F06</i>	<i>Cathy Wiss</i>	<i>Chair</i>	
<i>3F07</i>	<i>Lyn Oglesby, Ph.D. (2001)</i>		
<i>3F07</i>	<i>Todd Strauss (2002)</i>		

Commissioner Maudlin served as webmaster. Commissioner Oglesby resigned effective November 14, 2001. Commissioner Strauss was elected on February 19, 2002, and took office by the March meeting.

Individual Commissioners

In addition to the activities of the Commission, its individual members resolved issues of concern to constituents and provided input to the Mayor, D.C. Council, agencies of the District government, the Control Board and the U.S. Congress. As you know, Commissioners serve without compensation

This report, unanimously approved at the Commission's regular business meeting on November 18, 2002, is respectfully submitted by:

/s/ Cathy Wiss

Cathy Wiss, Chair

Appendix A: ANC 3F BUSINESS MEETINGS DURING FY 2002

<i>Dates</i>	<i>Hours</i>	<i>Locations</i>	<i>Quorum</i>
2001			
<i>Oct 15</i>	<i>7:37 10:42</i>	<i>Capital Memorial Church</i>	<i>6</i>
<i>Nov 19</i>	<i>7:30 10:10</i>	<i>Capital Memorial Church</i>	<i>6</i>
2002			
<i>Jan 14</i>	<i>7:31 8:55</i>	<i>Capital Memorial Church</i>	<i>5</i>
<i>Feb 19 *</i>	<i>7:35 10:15</i>	<i>Van Ness South Social Room</i>	<i>4/5/6</i>
<i>Mar 18</i>	<i>7:35 10:57</i>	<i>Washington Home & Hospice Center</i>	<i>6</i>
<i>Apr 15</i>	<i>7:35 11:00+</i>	<i>Wisconsin Avenue Baptist Church</i>	<i>7</i>
<i>Apr 29</i>	<i>7:37 10:40</i>	<i>Intelsat</i>	<i>6</i>
<i>May 20</i>	<i>7:30 11:05</i>	<i>Capital Memorial Church</i>	<i>6</i>
<i>Jun 17</i>	<i>7:30 10:35</i>	<i>Capital Memorial Church</i>	<i>7</i>
<i>Sep 17</i>	<i>7:30 10:53</i>	<i>Capital Memorial Church</i>	<i>7</i>

* *Also, special election to fill vacancy in SMD 3F07, conducted until 9:00 p.m.*